

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

TAMMY L. HOKE

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security

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NO. 2:08-CV-125

**ORDER**

This Social Security matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated July 16, 2008. In that Report and Recommendation, the Magistrate Judge recommends that the defendant's motion to dismiss, [Doc.5], be granted. The Plaintiff has filed objections to this recommendation, [Doc. 12]. After careful and *de novo* consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation, which are incorporated by reference herein, it is hereby

**ORDERED** that the plaintiff's objections are **OVERRULED**,<sup>1</sup> that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 9], and that defendant's motion to dismiss, [Doc. 5], is **GRANTED**. It is further **ORDERED** that the "Plaintiff's Motion for Reconsideration," [Doc. 8], which was actually a response to the defendant's motion to dismiss and not a motion for reconsideration because nothing had been decided at that point for the Court to reconsider, is **DENIED**.

E N T E R:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Included with the plaintiff's objections was a request to "permit an appeal outside of the normal time constraints" by extending the time to appeal. However, the plaintiff cited no authority which supported her request, and this Court has found none. As such, this request is denied.